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Attorneys for Defendant  
 NANCY BLACK

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

UNITED STATES OF AMERICA,	) No. CR 12-0002 EJD
	)
Plaintiff,	) <b>STIPULATION AND <del>PROPOSED</del> ORDER</b>
	) <b>CONTINUING HEARING AND EXCLUDING</b>
v.	) <b>AND EXTENDING TIME</b>
	)
NANCY BLACK,	)
	)
Defendant.	)

A further status hearing is set in this case for August 6, 2012 at 1:30 p.m., with Defendant Black's appearance being waived. By email dated July 26, 2012, the Court notified the parties that if any matter scheduled for hearing that date could be continued to a later date the Court would consider a stipulation and proposed order to that effect if submitted to the Court by August 2, 2012. The parties believe that such a continuance would be appropriate in light of their ongoing discussions regarding this case.

Based on the foregoing, THE PARTIES STIPULATE AND REQUEST that the hearing currently set for August 6, 2012 be continued to August 20, 2012.

THE PARTIES FURTHER STIPULATE AND REQUEST that the Court find that the ends of justice are served by excluding the time from August 6, 2012 to August 20, 2012 from computation

1 under the Speedy Trial Act because the failure to exclude time would unreasonably deny counsel for  
2 Defendant the reasonable time necessary for effective preparation of counsel, taking into account the  
3 exercise of due diligence, and the ends of justice served by excluding the above time outweigh the best  
4 interests of the public and the Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7).

5 IT IS SO STIPULATED.

6 Dated: July 31, 2012

Melinda Haag  
United States Attorney

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8 /S/\_\_\_\_\_  
Christopher L. Hale  
Jeffrey B. Schenk  
9 Assistant United States Attorneys  
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11  
12 Dated: July 31, 2012

13 /S/\_\_\_\_\_  
Mark R. Vermeulen  
Lawrence E. Biegel  
14 Attorneys for Defendant  
15 NANCY BLACK  
16

17 **ORDER**

18 Based on the foregoing stipulation, and good cause appearing,

19 IT IS HEREBY ORDERED that the hearing currently set for August 6, 2012 shall be continued  
20 to August 20, 2012.

21 IT IS FURTHER ORDERED that the Court finds that the ends of justice are served by excluding  
22 the time from August 6, 2012 to August 20, 2012 from computation under the Speedy Trial Act because  
23 the failure to exclude time would unreasonably deny counsel for Defendant the reasonable time  
24 necessary for effective preparation of counsel, taking into account the exercise of due diligence, and the  
25 ends of justice served by excluding the above time outweigh the best interests of the public and the  
26 Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7).

27 IT IS SO ORDERED.

28 Dated: August 1, 2012

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Edward J. Davila  
United States District Judge  
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